

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

IN RE:

HERNANDEZ, SALVADOR & TENA

DEBTOR

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**CASE NO. 02-52057-R
CHAPTER 7**

**TRUSTEE'S
FINAL REPORT AND PROPOSED DISTRIBUTION**

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: December 8, 2003

/s/ Linda Payne
Linda Payne, Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

IN RE:

HERNANDEZ, SALVADOR & TENA

DEBTOR

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**CASE NO. 02-52057-R
CHAPTER 7**

**TRUSTEE'S FINAL REPORT AND APPLICATION TO CLOSE CASE AND
DISCHARGE TRUSTEE**

The Trustee of the estate presents the following final report:

1. The Trustee applies for commissions and expenses set forth in Schedule A and states: That they are reasonable and proper; that in the course of the performance of duties, the Trustee has advanced moneys from personal funds for expenses, and the Trustee has not been reimbursed.
2. The Trustee submits Form I as a summary of the assets and an estate property record. Any property scheduled under 11 U.S.C. Sec. 521(1) and not administered shall be deemed abandoned pursuant to 11 U.S.C. Sec. 554 (c).
3. The Trustee has reduced all assets of this estate to cash or otherwise lawfully disposed of them and the estate is ready to be closed.
4. The Trustee submits Form II as the account of estate cash receipts and disbursements.
5. There is no agreement or understanding between the Trustee and any other person for a division of the compensation sought by this application except as permitted by the Bankruptcy Code.
6. The Trustee requests approval of this final report.
7. The trustee has examined each and every claim filed and noted her approval of claims as filed, or she has filed objections to allowance or requests for reclassification.
8. The Trustee further requests that after final distribution of all moneys in accordance with the Trustee's Report of Final Distribution, and upon filing of a Supplemental Final Report and Account and certification by the U. S. Trustee the trustee be discharged from office and that the case be closed.

I declare under penalty of perjury that this Report and attached Schedules are true and correct to the best of my knowledge and belief.

Dated: December 8, 2003

/s/ Linda Payne
Linda Payne, Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF: 12/7/03

A: Receipts

\$5,405.61

B. Disbursements

1. Secured Creditors-----\$

2. Administrative----- 258.84

3. Priority-----

4. Other-----

Total disbursements----- \$ 258.84

C. Current Balance

\$5,146.77

Form 1

Individual Estate Property Record and Report

Asset Cases

Case Number: 02-52057 DRS
Case Name: HERNANDEZ, SALVADOR A.
 HERNANDEZ, TENA M.

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 04/24/02 (f)
\$341(a) Meeting Date: 06/07/02
Claims Bar Date: 10/09/02

Period Ending: 12/08/03

Ref. #	1 Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	207 Rosewood, Texarkana - homestead	65,000.00	0.00	DA	0.00	FA
2	Household Goods	3,650.00	0.00	DA	0.00	FA
3	Clothing	500.00	0.00	DA	0.00	FA
4	401k through AmSouth Bank	35,236.46	0.00	DA	0.00	FA
5	401k LLC	600.00	0.00	DA	0.00	FA
6	1997 Toyota	5,000.00	0.00	DA	0.00	FA
7	1999 Toyota 4 Runner	10,000.00	0.00	DA	0.00	FA
8	Preference - First USA Hire attorney to pursue	5,392.00	5,392.00		5,392.00	FA
9	Preference to Bank of Omaha Hire attorney to pursue. Not a preference - not an asset.	6,260.00	6,260.00	DA	0.00	FA
10	Checking account at Century Bank Amount was estimate. Used for every day living expenses	1,000.00	1,000.00	DA	0.00	FA
Int	INTEREST (u)	Unknown	N/A		13.61	Unknown
11	Assets	Totals (Excluding unknown values)	\$132,638.46	\$12,652.00	\$5,405.61	\$0.00

Form 1 **Individual Estate Property Record and Report** **Asset Cases**

Case Number: 02-52057 DRS
Case Name: HERNANDEZ, SALVADOR A.
 HERNANDEZ, TENA M.
Period Ending: 12/08/03

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 04/24/02 (f)
\$341(a) Meeting Date: 06/07/02
Claims Bar Date: 10/09/02

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					

Major Activities Affecting Case Closing:

Hire attorney to pursue preferences

Initial Projected Date Of Final Report (TFR): September 1, 2003

Current Projected Date Of Final Report (TFR): September 1, 2003

Form 2

Page: 1

Cash Receipts And Disbursements Record

Case Number: 02-52057 DRS
Case Name: HERNANDEZ, SALVADOR A.
HERNANDEZ, TENA M.
Taxpayer ID #: 13-7348559
Period Ending: 12/08/03

Trustee: LINDA S. PAYNE (631540)
Bank Name: JPMORGAN CHASE BANK
Account: 312-8897693-65 - Money Market Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Money Market Account Balance
02/08/03	{8}	First USA	Preference payment	1141-000	5,392.00		5,392.00
02/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	1.08		5,393.08
03/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	1.89		5,394.97
04/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	1.77		5,396.74
05/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	1.83		5,398.57
06/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	1.49		5,400.06
07/14/03	1001	BILL PAYNE	Court approved attorney fees	3210-000		250.00	5,150.06
07/14/03	1002	BILL PAYNE	Court approved attorney expenses	3220-000		8.84	5,141.22
07/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	1.36		5,142.58
08/29/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	1.09		5,143.67
09/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	1.06		5,144.73
10/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.99		5,145.72
11/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2000%	1270-000	0.85		5,146.57
12/08/03	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.2000%	1270-000	0.20		5,146.77
12/08/03		To Account #312889769366	Final Report	9999-000		5,146.77	0.00

ACCOUNT TOTALS 5,405.61 5,405.61 \$0.00
Less: Bank Transfers 0.00 5,146.77
Subtotal 5,405.61 258.84
Less: Payments to Debtors 0.00
NET Receipts / Disbursements \$5,405.61 \$258.84

Form 2

Page: 2

Cash Receipts And Disbursements Record

Case Number: 02-52057 DRS
Case Name: HERNANDEZ, SALVADOR A.
HERNANDEZ, TENA M.
Taxpayer ID #: 13-7348559
Period Ending: 12/08/03

Trustee: LINDA S. PAYNE (631540)
Bank Name: JPMORGAN CHASE BANK
Account: 312-8897693-66 - Checking Account
Blanket Bond: \$300,000.00 (per case limit)
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
12/08/03		From Account #312889769365	Final Report	9999-000 1	5,146.77	5,146.77

ACCOUNT TOTALS	5,146.77	0.00	\$5,146.77
Less: Bank Transfers	5,146.77	0.00	
Subtotal	0.00	0.00	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	0.00	\$0.00	

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # 312-8897693-65	5,405.61	258.84	0.00
Checking # 312-8897693-66	0.00	0.00	5,146.77
	\$5,405.61	\$258.84	\$5,146.77

SCHEDULE B
APPLICATION FOR COMPENSATION

TRUSTEE COMPENSATION:

Total Receipts	\$5,405.61	25% of First \$5,000.00	\$1,250.00	_____
Balance	\$ _____	10% of Next \$45,000.00	\$ 40.56	
Balance	\$ _____	5% of Next \$950,000.00		
Balance	\$ _____	3% of Remaining Balance	\$ _____	
			TOTAL COMMISSIONS	\$ 1,290.56 _____

UNREIMBURSED EXPENSES: (See attached breakdown)

Recording Fees-----	
Premium on bond-----	
Travel-----	77.00
Clerical & Stenographic-----	150.00
Copies-----	40.50
Postage-----	22.13
Certified Mail (1)-----	
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES--\$289.63

RECORDS:

Trustee did not take possession of business or
personal records of the debtor.

_____X_____

Trustee did take possession of business or
personal records of the debtor.

Notice given to debtor on
to pick up business or personal records in
hands of trustee. If not picked up within
30 days such records or work files may be
destroyed.

Expenses of Trustee
Hernandez

Travel:

Objection to Claims – Plano – 220 miles
220 miles @ 0.35 a mile = \$ 77.00

Other:

	Copies	Postage
Application to Employ Attorney (#10 on docket) 0.50	25	0.92
Application for Fees and Expenses Of Attorney (# 13 on docket) 2.75	71	12.27
Objections to Claims (#14 docket) 1.25	24	2.03
Final Report (E filed) 1.00	20	
Distribution Checks 1.00	8	2.96
Supplemental Final Report (E filed) 1.00	14	
Mail checks and statements to UST		3.95

TOTALS

Travel-----	\$ 77.00
Secretarial 7.50 @ \$20.00/hr-----	150.00
Copies 162 @ 0.25 -----	40.50
Postage-----	22.13

TOTAL EXPENSES: \$289.63

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>			
A. Notice & Claim Fees \$			
B. Adv. filing fees			
C. Quarterly Chapt 11			
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>			
A. Transportation			
B. Storage			
C. Wages			
D. Estates share FICA			
E. Insurance			
F. Other (itemize)			
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes and related penalties</u>			
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and Reimbursement</u>			
A. Trustee Fees	1,290.56	0	1,290.56
B. Trustee Expenses	289.63	0	289.63
C. Attorney to Trustee (#16 on docket)	250.00	250.00	0
D. Expenses for Attorney To Trustee	8.84	8.84	0
E. Attorney for Debtor			
F. Auctioneer Fees			
5. Other (Itemize)			
 TOTAL-----	 \$ 1,839.03	 258.84	 1,580.19

SCHEDULE D

SECURED CLAIMS

Claim #	Claimant	Amount Claimed	Amount Not Determined	Amount Allowed	Previously Paid	Amount Due
3	National Wide Home Mtg	40,565.98	0	0	0	0
Totals		\$ 0				

SCHEDULE E

PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES IN THE FOLLOWING ORDER OF PRIORITY

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
1. For Credit Extended §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					

TOTAL ALLOWED PRIORITY CLAIMS: \$0

TIMELY FILED ALLOWED UNSECURED CLAIMS TOTAL: \$65,316.39

**IN THE UNITED STATES BANKRUPTCY COURT
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IN RE:

HERNANDEZ, SALVADOR & TENA

DEBTOR

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**CASE # 02-52057-R
CHAPTER 7**

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation and all other matters which must be determined by the Court before final distribution can be made.
2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection hereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND	\$ 5,146.77
2. ADMINISTRATIVE EXPENSES TO BE PAID	\$ 1,580.19
3. SECURED CLAIMS TO BE PAID	\$0
4. PRIORITY CLAIMS TO BE PAID	\$ 0
5. UNSECURED CLAIMS TO BE PAID	\$ 3,566.58
6. OTHER DISTRIBUTIONS TO BE PAID (Surplus to Debtor)	\$0
7. TOTAL DISTRIBUTIONS TO BE MADE	\$ 5,146.77
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$ 0

Dated: December 7, 2003

/s/ Linda S. Payne
Linda S. Payne, Trustee

Claims Distribution Register

Case: 02-52057 HERNANDEZ, SALVADOR A.

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
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Secured Claims:

3	07/29/02	100	Nationwide Home Mortgage P.O. Box 919010 Des Moines, IA 50391-9010 <4110-00 Real Estate--Consensual Liens (mortgages, deeds of trust, PMSI)> Secured	40,565.98	0.00	0.00	0.00	0.00
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Priority 100: 0% Paid

Admin Ch. 7 Claims:

04/24/02	200	Bill Payne	250.00	250.00	250.00	0.00	0.00
		<3210-00 Attorney for Trustee Fees (Other Firm)>					
04/24/02	200	Bill Payne	8.84	8.84	8.84	0.00	0.00
		<3220-00 Attorney for Trustee Expenses (Other Firm)>					
04/24/02	200	LINDA S. PAYNE	1,290.56	1,290.56	0.00	1,290.56	1,290.56
		100 NORTH MAIN ST.					
		PARIS, TX 75460					
		<2100-00 Trustee Compensation>					
04/24/02	200	LINDA S. PAYNE	289.63	289.63	0.00	289.63	289.63
		100 NORTH MAIN ST.					
		PARIS, TX 75460					
		<2200-00 Trustee Expenses>					

Total for Priority 200: 100% Paid

\$1,839.03	\$1,839.03	\$258.84	\$1,580.19	\$1,580.19
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Total for Admin Ch. 7 Claims:

\$1,839.03	\$1,839.03	\$258.84	\$1,580.19	\$1,580.19
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Unsecured Claims:

1	08/02/02	610	American Express Centurion Bank c/o Becket & Lee LLP PO Box 3001 Malvern, PA 19355-0701 <7100-00 General Unsecured § 726(a)(2)> Unsecured	17,362.75	17,362.75	0.00	17,362.75	948.09
2	08/02/02	610	Direct Merchants Inc 8098 Sand Piper Circle Baltimore, MD 21236 <7100-00 General Unsecured § 726(a)(2)> Unsecured	2,398.24	2,398.24	0.00	2,398.24	130.95
4	08/05/02	610	MBNA America Bank NA PO Box 15168 MS 1421 Wilmington, DE 19850 <7100-00 General Unsecured § 726(a)(2)> Unsecured	33,645.72	33,645.72	0.00	33,645.72	1,837.22

Claims Distribution Register**Case: 02-52057 HERNANDEZ, SALVADOR A.**

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
5	08/12/02	610	Discover Bank Discover Financial Services PO Box 8003 Hilliard, OH 43026 <7100-00 General Unsecured § 726(a)(2)> Unsecured	4,706.74	4,706.74	0.00	4,706.74	257.01
6	10/07/02	610	Universal Bank P O Box 6305 The Lakes, NV 88901 <7100-00 General Unsecured § 726(a)(2)> Unsecured	7,202.94	7,202.94	0.00	7,202.94	393.31
Total for Priority 610: 5.46047% Paid				\$65,316.39	\$65,316.39	\$0.00	\$65,316.39	\$3,566.58
Total for Unsecured Claims:				\$65,316.39	\$65,316.39	\$0.00	\$65,316.39	\$3,566.58
Total for Case :				\$107,721.40	\$67,155.42	\$258.84	\$66,896.58	\$5,146.77